

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1286 OF 2005

Shri J.D. Parkhi ..Applicant

Vs.

The Hon. Secretary
Union of India and ors. ..Respondents

Mr. A. Majeed Memon for applicant.
Mr. Rajesh More, APP for State.
Ms. P.A. Mhatre i/by Mr. D.N. Salvi for respondent
no.2.

CORAM: B.H. MARLAPALLE, J.

Date : July 10, 2007.

P.C.:

1. Heard Mr. Memon the learned counsel for the applicant who is an accused along with his sister in R.C.C. No. 10 of 2003 presently pending before the learned Chief Judicial Magistrate, First Class, Pune. He has sought to invoke the inherent powers of this court under Section 482 of Cr.P.C. and prayed for quashing the proceedings in R.C.C. No.10 of 2003.

2. The case has been instituted at the instance

of the Central Bureau of Investigation (CBI) and it originates from the letter dated 6/11/1997 received from the Prime Minister's office to the Director of CBI. The case has been registered for the offences punishable under Section 420 read with Section 511, 468 and 471 of IPC and there is also an allegation that the Official Secret Act, 1923 has been violated.

3. Keeping in mind the fact that CBI has already filed the charge-sheet and has also engaged its counsel, Mr. Memon the learned counsel has fairly restricted the applicant's grievance to a limited extent. He states that the applicant or the co-accused has filed the discharge applications and in spite of the direction given by this court for their time bound disposal, some of these applications are still pending and, therefore, they should be decided within a short period. The learned counsel further urged that the trial of the pending criminal case be also expedited so that the case is decided at the earliest possible.

4. It is, therefore, directed that if any

discharge application or applications are pending as at present in R.C.C. No.10 of 2003, the same shall be heard and decided on its own or their merits as expeditiously as possible and in any case within a period of six weeks from the receipt of the writ from this court. In addition, the trial of R.C.C. No.10 of 2003 is hereby expedited and it is directed that the trial be completed preferably within a period of six months from the date of receipt of the writ from this court.

5. The application is disposed off in terms of the above directions. Writ to go to the trial court forthwith.

(B.H. Marlapalle, J.)